

2003 DRAFTING REQUEST**Assembly Substitute Amendment (ASA-AB387)**Received: **10/02/2003**Received By: **pgrant**Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**By/Representing: **Tara Vasby**This file may be shown to any legislator: **NO**Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - school boards**Extra Copies: **MJL**Submit via email: **YES**Requester's email: **Rep.Richards@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Human growth and development programs

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 10/02/2003	kgilfoy 10/03/2003					
/1			pgreensl 10/06/2003		sbasford 10/06/2003	sbasford 10/06/2003	

10/06/2003 09:37:51 AM

Page 2

FE Sent For:

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/?	pgrant	1-10/3 Kmp	10/3 PS	10/6 PS/OK			
FE Sent For:							
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Grant, Peter

From: Vasby, Tara
Sent: Thursday, October 02, 2003 2:13 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

That is the intent we were looking for. Thanks!

-----Original Message-----

From: Grant, Peter
Sent: Thursday, October 02, 2003 2:12 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

I will make the changes as I suggested in my last e-mail from yesterday, because I think that that approach will accomplish their objective. It will require that if human sexuality is taught, the instruction must be medically accurate. OK?

-----Original Message-----

From: Vasby, Tara
Sent: Thursday, October 02, 2003 2:05 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

Let's see if I can explain this as it was explained to me... The education community refers to the program as "Medically accurate human sexuality education" which is why the use of the terms medically accurate.

Question, in your opinion does this bill accomplish its objective, which is that if human sexuality is taught, it must be medically accurate? That's what we're trying to get at.

Again, we don't anticipate that this will get past the hearing stage, so if you can just make the noted changes as requested, that'd be great.

Thanks!

-----Original Message-----

From: Grant, Peter
Sent: Wednesday, October 01, 2003 5:25 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

OK, I still don't understand "medically accurate," but never mind that. I put it in on page 2, line 7. But I can't insert it on page 2, line 19. The sentence makes no sense. It would read:

The program may include instruction in any of the following areas:
(e) Medically accurate human sexuality....

Don't they want "medically accurate" in the intro so it applies to the *instruction*? Human sexuality is neither medically accurate or inaccurate; it just is. It's the *instruction* that they want to ensure is medically accurate. How about if I amend the intro so it reads "...may include all of the following:" Then each paragraph could begin "Instruction in...." And par. (e) would begin "Medically accurate instruction in...."

Peter

-----Original Message-----

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 5:13 PM

To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

Peter,
I talked to Jon.

He said put the medically accurate in the two spots I had noted earlier. Eliminate the "comprehensive" bit. Keep the other stuff we changed.

We anticipate that this won't get farther than a public hearing, so we'll go with that language.

Sorry for the confusion.

Thanks!
Tara Vasby

Grant, Peter

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 2:39 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

No, I know what you meant! I'm trying to find compromise. I'll follow up with Jon and get back to you tomorrow, if that's alright? the other changes were fine

-----Original Message-----

From: Grant, Peter
Sent: Wednesday, October 01, 2003 2:38 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

No, I think you misunderstood me. My point was, how can a statement be accurate when it is medically inaccurate?

-----Original Message-----

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 2:37 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

They want to prevent such statements from being made. I guess neither of us have much experience with inaccurate sex ed!

What about scientifically accurate?

-----Original Message-----

From: Grant, Peter
Sent: Wednesday, October 01, 2003 2:20 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

I don't understand your toilet seat example. If it's accurate to say that it is possible to get AIDS from a toilet seat (and I'm not saying it is, just using your example), why would that be a medically *inaccurate* statement? What am I missing here?

-----Original Message-----

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 2:16 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

The attached message is from PPWI - to help you understand the argument.

Medically accurate is the term we use in describing education programs because it is based on sound science, and not influenced by subjective individuals inserting morality into the facts.

The fact that an individual can get AIDS from a toilet seat may be accurate to an extremist, but it is not based in scientific fact.

I do believe it is important to qualify the word "accurate" but perhaps we could go with scientifically accurate -

Grant, Peter

From: Grant, Peter
Sent: Wednesday, October 01, 2003 1:47 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

I don't think it works because it's not the human sexuality that you want to be comprehensive and medically accurate, it's the instruction.

Doesn't the term "accurate" include "medically accurate"? It seems to me that specifying only "medically" means that the instruction doesn't have to be accurate in other ways. For example, suppose the instruction includes data on the use of various types of contraception in the US compared to other countries. Shouldn't the data be accurate?

-----Original Message-----

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 1:38 PM
To: Grant, Peter
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

If we leave the purpose as it is, and just change the information in Line 19 to comprehensive and medically accurate, would that work?

We have a copy of language from DHFS (we think) dated 9-23-98 relating to the "brighter futures" stuff. the phrase medically accurate is used in that statement. I can scan and send if you want. I think what we're trying to get at is that sex ed should be based on science rather than being influenced by personal religious beliefs-which is happening in some places. Less than medically accurate sex ed information is being provided to teens.

I liked your thought on the prevention thing.

Thanks!

-----Original Message-----

From: Grant, Peter
Sent: Wednesday, October 01, 2003 1:31 PM
To: Vasby, Tara
Subject: RE: Sub Amend to AB 387 (LRB 2475/1)

Hi Tara -

Regarding your changes:

- Page 2, line 7: I'm not sure that "medically accurate" is the phrase you want. Don't those interested in the bill want the information to be completely accurate in all senses of the word, not just medically?
- Page 2, line 19: I don't think the suggested wording makes sense. It would read, "...may include instruction in ... comprehensive and medically accurate human sexuality." Perhaps those interested in the bill mean to say, "...may include comprehensive instruction in...human sexuality"? (I left out "medically" because, again, I don't think they want the instruction to be only *medically* accurate.)
- Page 2, line 20: I'll add "and contraception."
- Page 3, line 2: I think "and prevention" would fit better on page 2, line 20 after "diseases."

Let me know what you think.

Peter

-----Original Message-----

From: Vasby, Tara
Sent: Wednesday, October 01, 2003 1:06 PM

To: Grant, Peter

Subject: Sub Amend to AB 387 (LRB 2475/1)

Peter,

It was brought to our attention by those interested in the bill that some words were inadvertently left out. It is this office's fault. I just had the language re-drafted from last session which we thought was okay. In any event, if we could have a sub drafted that includes the following changes:

Page 2, Line 7 - insert the word "Medically" after the word Include (to read: include medically accurate)

Page 2, Line 19 - insert the phrase "Comprehensive and Medically Accurate" before Human Sexuality. NOTE: we'd like that phrase to be applied to human sexuality and reproduction and family planning, so someone suggested that a punctuation change may be necessary?

Page 2, Line 20 - insert the words "and contraception" after family planning.

Page 3, Line 2 - insert "and prevention" after syndrome.

We felt a sub might be better so we have a whole bill. If you have questions, please let me know. Thanks!

Tara J. Vasby

Leg. Assistant

Rep. Jon Richards

LRBs 0205/1
PG: kmg:

A. SUBST. AMOT. —
To 2003 ASSEMBLY BILL 387

June 5, 2003 - Introduced by Representatives RICHARDS, POPE-ROBERTS, MILLER, BERCEAU, BALOW, TAYLOR and PLOUFF, cosponsored by Senators RISSE and PLALE. Referred to Committee on Education.

- 1 AN ACT *to amend* 118.019 (1), 118.019 (2) (a), 118.019 (2) (b), 118.019 (2) (c),
2 118.019 (2) (e), 118.019 (2) (f), 118.019 (2m) and 118.019 (3); and *to create*
3 118.019 (2) (g) of the statutes; **relating to:** school district human growth and
4 development programs.

Analysis by the Legislative Reference Bureau

Under current law, a school board may provide an instructional program in human growth and development in grades kindergarten to 12. The program may include instruction in a number of areas, including self-esteem, interpersonal relationships, human sexuality, family life, and sex stereotypes. This bill makes several changes in these areas, including the following:

1. Currently, a school board may include instruction in the discouragement of adolescent sexual activity. This bill provides instead that a school board may include instruction in the social, psychological, and health benefits of abstaining from sexual activity.

2. Current law authorizes a school board to include instruction in human immunodeficiency virus and acquired immunodeficiency syndrome. This bill authorizes a school board to include instruction in all sexually transmitted diseases.

3. The bill authorizes instruction relating to sexual exploitation, acquaintance rape, and the legal consequences of sexual contact with a minor.

ASSEMBLY BILL 387

The bill also provides that a human growth and development curriculum may include assignments that provide parents with opportunities to communicate to their children their expectations regarding the sexual behavior of their children.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.019 (1) of the statutes is amended to read:

118.019 (1) PURPOSE. The purpose of this section is to encourage all school boards to make available to pupils instruction in topics related to human growth and development in order to promote accurate and comprehensive knowledge in this area and responsible decision making and, to support and enhance the efforts of parents to provide moral guidance to their children, to promote abstinence from sexual activity as the safest and best choice for pupils, and to include accurate information on family planning and contraception. medically

SECTION 2. 118.019 (2) (a) of the statutes is amended to read:

118.019 (2) (a) ~~Self-esteem~~ ^{Instruction in self-esteem}, responsible decision making and personal responsibility related to family life, relationships, and sexual behavior.

SECTION 3. 118.019 (2) (b) of the statutes is amended to read:

118.019 (2) (b) ~~Interpersonal~~ ^{Instruction in interpersonal} relationships, including growth in respect and self-control.

SECTION 4. 118.019 (2) (c) of the statutes is amended to read:

118.019 (2) (c) ~~Discouragement of adolescent~~ ^{Instruction in} The social, psychological, and health benefits of abstaining from sexual activity.

SECTION 5. 118.019 (2) (e) of the statutes is amended to read:

^{Comprehensive, medically accurate instruction in human}
118.019 (2) (e) ~~Human~~ sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a), including natural family planning, sexually transmitted diseases,

and contraception;

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and their prevention

1 including human immunodeficiency virus and acquired immunodeficiency
2 syndrome; prenatal development; childbirth; adoption; available prenatal and
3 postnatal support; and male and female responsibility.

4 SECTION 6. 118.019 (2) (f) of the statutes is amended to read:

5 118.019 (2) (f) Instruction in sex ~~Sex~~ stereotypes and, protective behavior behaviors, sexual
6 exploitation, and acquaintance rape.

7 SECTION 7. 118.019 (2) (g) of the statutes is created to read:

8 118.019 (2) (g) Instruction in The legal consequences of sexual contact with a minor.

9 SECTION 8. 118.019 (2m) of the statutes is amended to read:

10 118.019 (2m) MARRIAGE AND PARENTAL RESPONSIBILITY. If a school board provides
11 instruction in any of the areas under sub. (2) (e), the school board shall also provide
12 instruction in marriage and parental responsibility, including financial
13 responsibility.

14 SECTION 9. 118.019 (3) of the statutes is amended to read:

15 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that
16 provides an instructional program in human growth and development shall
17 annually provide the parents of each pupil enrolled in the school district with an
18 outline of the human growth and development curriculum used in the pupil's grade
19 level and information regarding how the parent may inspect the complete
20 curriculum and instructional materials. The school board shall make the complete
21 human growth and development curriculum and all instructional materials
22 available upon request for inspection at any time, including prior to their use in the
23 classroom. The human growth and development curriculum may include
24 assignments that provide parents with opportunities to communicate to their
25 children their expectations regarding the sexual behavior of their children.

ASSEMBLY BILL 387

1 SECTION 10. Effective date.

2 (1) This act takes effect on September 1, 2004.

3 (END)

2-8 ✓

Section #. 118.019 (2) (intro.) of the statutes is amended to read:

118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional program in human growth and development in grades kindergarten to 12. If provided, the program shall offer information and instruction appropriate to each grade level and the age and level of maturity of the pupils. Except as provided in sub. (2m), the program may include ~~instruction in~~ any of the following ~~areas~~:

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27; 2001 a. 16.

2-17 ✓

Section #. 118.019 (2) (d) of the statutes is amended to read:

Instruction in family

118.019 (2) (d) ~~Family~~ life and skills required of a parent.

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27; 2001 a. 16.